

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

DEMETRIC SCOTT,

Plaintiff,

v.

Case No. 12-C-1303

DAVID A. CLARKE, JR.,

Defendant.

ORDER DENYING MOTION FOR DEFAULT JUDGMENT

The pro se plaintiff in the above matter has moved for a judgment of default against Defendant David Clarke on the ground that the Answer was not filed within the time allowed. The motion will be denied. The Answer was filed on April 1, 2013. The Waiver of Service of Summons required that it be served within 60 days of January 29, 2013, the date when the request for Waiver was sent. The 60th day would have fallen on Saturday, March 30th. When the date a filing is due falls on a weekend, the time is extended to the next business day. In this case, that would have been April 1, 2013. The Answer was timely filed, and in any event, plaintiff has suffered no prejudice. Accordingly, the motion is denied.

Dated this 9th day of April, 2013.

s/ William C. Griesbach
William C. Griesbach, Chief Judge
United States District Court